

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

PS – Education(SE)Department – Sri T.Venkateswarlu, Dy.Inspector of Schools (Retd.), Vijayawada – Convicted in a trap case – Withholding of Pension and Gratuity in full permanently – Orders – Issued.

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EDUCATION [SE- Vig.I(1)] DEPARTMENT

**G.O.Rt.No. 571**

**Dated: 12.08.2008.**

Read the following:

1. Proc.Rc.No.6861/B1/2002,dt.18.11.2002 of RJDSE,Kakinada.
2. G.O.Ms.No.133 Edn., dt.10.11.2003.
3. Judgment dt.17.1.2007 of the Spl.Judge for SPE&ACB Cases, Vijayawada, in C.C.No.1 /2004.
4. Govt.Memo.No.23012/Vig.I(1)/2002-7, dt.15.3.2008.
5. From Sri T. Venkateswarlu, Dy.I.S.(Retd.), representation dt.23.6.2008.

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**ORDER:**

Consequent on his trap by the ACB on 17.11.2002, Sri T.Venkateswarlu, Dy.Inspector of Schools (Urban), Vijayawada, was placed under suspension vide proceedings 1<sup>st</sup> read above ; and sanction was accorded for prosecution of Sri T.Venkateswarlu, vide G.O.2<sup>nd</sup> read above. Charge sheet was filed in the court of Spl.Judge for SPE&ACB cases, Vijayawada, in C.C.No.1/2004. He was permitted to retire from service on 31.5.2005 on attaining the age of superannuation, without prejudice to the prosecution.

2. Sri T.Venkateswarlu was found guilty for the offences under sections 7 and 13(1)(d) read with 13(2) of Prevention of Corruption Act,1988 and he was convicted under section 248(2) Cr.P.C.; and sentenced to undergo rigorous imprisonment for two years and to pay a fine of Rs.5,000/- and in default to suffer simple imprisonment for three months for the offence under section 7 of the P.C.Act,1988 ; and also sentenced to undergo rigorous imprisonment for a period of two years and also to pay a fine of Rs.5,000/- and in default to suffer simple imprisonment for three months for the offence u/s 13(2) r/w 13(1)(d) of the P.C.Act,1988; and both the substantive sentences were ordered to run concurrently, vide judgment 3<sup>rd</sup> read above.

3. Government have considered that conviction by the Court is a grave misconduct and calls for imposition of the penalty of withholding of Pension and Gratuity in full permanently, under Rule 9 of A.P.Revised Pension Rules,1980 ; and accordingly a show-cause notice has been issued to Sri T.Venkateswarlu,vide Memo.4<sup>th</sup> read above.

4. In the reference 5<sup>th</sup> read above, Sri T.Venkateswarlu has submitted his explanation to the show-cause notice. In his explanation, he has stated that he has preferred an appeal before the High Court in Appeal No.130/2007 against the above said Judgment and the Hon'ble High Court has suspended the sentence pending disposal of the appeal in Crl.A.M.P.No.170/2007 dt.12.2.2007 ; and at this stage holding of pension permanently is not maintainable until the final disposal of the appeal ; etc., and requested to release his pension and gratuity as per provisions of law.

5. After careful examination of the matter, Government have observed that the Hon'ble High Court has suspended the sentence alone but not the conviction ; and therefore decided to impose the penalty of withholding of Pension and Gratuity in full permanently on Sri T.Venkateswarlu.

6. Accordingly, Government hereby impose the penalty of “**withholding of Pension and Gratuity in full permanently**” on Sri **T.Venkateswarlu**, Dy.Inspector of Schools (Retd.), Vijayawada, under Rule 9 of the A.P.Revised Pension Rules, 1980, on the ground of conduct led to his conviction in a court of law.

7. The Director of School Education, Hyderabad, shall take necessary further action accordingly in the matter.

((BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH))

C.B.S. VENKATA RAMANA  
PRINCIPAL SECRETARY TO GOVERNMENT

To

The individual through the Director of School Education, Hyderabad .  
The Director of School Education, Hyderabad.

Copy to:

The Regional Joint Director of School Education, Kakinada.  
The Accountant General, A.P., Hyderabad.  
The Director of Treasuries & Accounts, Hyderabad.  
The Director General, Anti Corruption Bureau, Hyderabad.  
The Secretary to Vigilance Commissioner, APVC.  
SF/SCs.

// FORWARDED : BY ORDER //

SECTION OFFICER